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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Samuel M. Shaolian et al.) Group Art Unit 3732
Appl. No. : 10/642,399)
Filed : August 15, 2003)
For : ARTICULATING SPINAL)
FIXATION ROD AND)
SYSTEM)
Examiner : Eduardo C. Robert)

RESPONSE TO RESTRICTION REQUIREMENT

United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

In response to the restriction requirement, Applicant elects Group III (Claims 13-18) for prosecution in the present application. With respect to the Species, Applicant elects the species identified by the Examiner as Species II (Figures 4, 4A and 4B) and sub-species D (Figure 2E). Applicant submits that Claims 13-18 read on the elected species and sub-species. The present election is being made without traverse.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 4-18-05By: Rabinder N. Narula

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